

House File 2521 - Enrolled

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1 1 HOUSE FILE 2521
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1 3 AN ACT
1 4 RELATING TO AND MAKING APPROPRIATIONS TO CERTAIN STATE
1 5 DEPARTMENTS, AGENCIES, FUNDS, AND CERTAIN OTHER ENTITIES,
1 6 PROVIDING FOR REGULATORY AUTHORITY, AND OTHER PROPERLY
1 7 RELATED MATTERS AND PROVIDING AN EFFECTIVE DATE.
1 8
1 9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
1 10
1 11 DIVISION I
1 12 ADMINISTRATION AND REGULATION APPROPRIATIONS
1 13 Section 1. DEPARTMENT OF ADMINISTRATIVE SERVICES. There
1 14 is appropriated from the general fund of the state to the
1 15 department of administrative services for the fiscal year
1 16 beginning July 1, 2006, and ending June 30, 2007, the
1 17 following amounts, or so much thereof as is necessary, to be
1 18 used for the purposes designated:
1 19 1. For salaries, support, maintenance, and miscellaneous
1 20 purposes, and for not more than the following full-time
1 21 equivalent positions:
1 22 \$ 5,836,824
1 23 FTEs 451.68
1 24 UTILITY COSTS
1 25 2. For the payment of utility costs:
1 26 \$ 3,080,865
1 27 Notwithstanding section 8.33, any excess funds appropriated
1 28 for utility costs in this subsection shall not revert to the
1 29 general fund of the state at the end of the fiscal year but
1 30 shall remain available for expenditure for the purposes of
1 31 this subsection during the fiscal year beginning July 1, 2007.
1 32 It is the intent of the general assembly that the
1 33 department shall reduce utility costs through energy
1 34 conservation practices. The goal of the general assembly is
1 35 to reduce energy use by ten percent to save money, conserve
2 1 energy resources, and reduce pollution.
2 2 3. For financial administration duties:
2 3 \$ 200,000
2 4 4. Members of the general assembly serving as members of
2 5 the deferred compensation advisory board shall be entitled to
2 6 receive per diem and necessary travel and actual expenses
2 7 pursuant to section 2.10, subsection 5, while carrying out
2 8 their official duties as members of the board.
2 9 5. Any funds and premiums collected by the department for
2 10 workers' compensation shall be segregated into a separate
2 11 workers' compensation fund in the state treasury to be used
2 12 for payment of state employees' workers' compensation claims
2 13 and administrative costs. Notwithstanding section 8.33,
2 14 unencumbered or unobligated moneys remaining in this workers'
2 15 compensation fund at the end of the fiscal year shall not
2 16 revert but shall be available for expenditure for purposes of
2 17 the fund for subsequent fiscal years.
2 18 Sec. 2. DEPARTMENTAL START-UP FUNDING == REVOLVING FUNDS.
2 19 1. In addition to the amount appropriated to the
2 20 department of administrative services in section 1, subsection
2 21 1 of this Act, the department is authorized to expend an
2 22 additional amount not to exceed \$359,560 per fiscal year for
2 23 the purposes of the department for the fiscal period
2 24 commencing July 1, 2006, and ending June 30, 2010, and an
2 25 additional amount not to exceed \$91,810 for the fiscal year
2 26 commencing July 1, 2010. Such amounts shall be expended from
2 27 general fund moneys deposited in revolving funds under the
2 28 control of the department that were appropriated to the
2 29 department pursuant to 2004 Iowa Acts, chapter 1175, section
2 30 2.
2 31 2. Amounts expended pursuant to this section shall be
2 32 considered repayment amounts to the general fund and shall
2 33 reduce the total amount to be repaid to the general fund until
2 34 such time as the total amount of the general fund moneys
2 35 deposited in revolving funds under the control of the
3 1 department that were appropriated to the department pursuant
3 2 to 2004 Iowa Acts, chapter 1175, section 2, are repaid.
3 3 Sec. 3. REVOLVING FUNDS. There is appropriated to the

3 4 department of administrative services for the fiscal year
3 5 beginning July 1, 2006, and ending June 30, 2007, from the
3 6 revolving funds designated in chapter 8A and from internal
3 7 service funds created by the department, such amounts as the
3 8 department deems necessary for the operation of the department
3 9 consistent with the requirements of chapter 8A.

3 10 Sec. 4. FUNDING FOR IOWACCESS.

3 11 1. Notwithstanding section 321A.3, subsection 1, for the
3 12 fiscal year beginning July 1, 2006, and ending June 30, 2007,
3 13 the first \$1,000,000 collected and transferred by the
3 14 department of transportation to the treasurer of state with
3 15 respect to the fees for transactions involving the furnishing
3 16 of a certified abstract of a vehicle operating record under
3 17 section 321A.3, subsection 1, shall be transferred to the
3 18 IowAccess revolving fund established by section 8A.224 and
3 19 administered by the department of administrative services for
3 20 the purposes of developing, implementing, maintaining, and
3 21 expanding electronic access to government records as provided
3 22 by law.

3 23 2. All fees collected with respect to transactions
3 24 involving IowAccess shall be deposited in the IowAccess
3 25 revolving fund and shall be used only for the support of
3 26 IowAccess projects.

3 27 Sec. 5. STATE EMPLOYEE HEALTH INSURANCE ADMINISTRATION
3 28 CHARGE. For the fiscal year beginning July 1, 2006, and
3 29 ending June 30, 2007, the monthly per contract administrative
3 30 charge which may be assessed by the department of
3 31 administrative services shall be \$2.00 per contract on all
3 32 health insurance plans administered by the department.

3 33 Sec. 6. AUDITOR OF STATE. There is appropriated from the
3 34 general fund of the state to the office of the auditor of
3 35 state for the fiscal year beginning July 1, 2006, and ending
4 1 June 30, 2007, the following amount, or so much thereof as is
4 2 necessary, to be used for the purposes designated:

4 3 For salaries, support, maintenance, and miscellaneous
4 4 purposes, and for not more than the following full-time
4 5 equivalent positions:

4 6 \$ 1,207,341
4 7 FTEs 102.50

4 8 The auditor of state may retain additional full-time
4 9 equivalent positions as is reasonable and necessary to perform
4 10 governmental subdivision audits which are reimbursable
4 11 pursuant to section 11.20 or 11.21, to perform audits which
4 12 are requested by and reimbursable from the federal government,
4 13 and to perform work requested by and reimbursable from
4 14 departments or agencies pursuant to section 11.5A or 11.5B.
4 15 The auditor of state shall notify the department of
4 16 management, the legislative fiscal committee, and the
4 17 legislative services agency of the additional full-time
4 18 equivalent positions retained.

4 19 Sec. 7. IOWA ETHICS AND CAMPAIGN DISCLOSURE BOARD. There
4 20 is appropriated from the general fund of the state to the Iowa
4 21 ethics and campaign disclosure board for the fiscal year
4 22 beginning July 1, 2006, and ending June 30, 2007, the
4 23 following amount, or so much thereof as is necessary, for the
4 24 purposes designated:

4 25 For salaries, support, maintenance, and miscellaneous
4 26 purposes, and for not more than the following full-time
4 27 equivalent positions:

4 28 \$ 497,056
4 29 FTEs 6.00

4 30 Sec. 8. DEPARTMENT OF COMMERCE. There is appropriated
4 31 from the general fund of the state to the department of
4 32 commerce for the fiscal year beginning July 1, 2006, and
4 33 ending June 30, 2007, the following amounts, or so much
4 34 thereof as is necessary, for the purposes designated:

4 35 1. ALCOHOLIC BEVERAGES DIVISION

5 1 For salaries, support, maintenance, and miscellaneous
5 2 purposes, and for not more than the following full-time
5 3 equivalent positions:

5 4 \$ 1,930,962
5 5 FTEs 36.00

5 6 2. BANKING DIVISION

5 7 For salaries, support, maintenance, and miscellaneous
5 8 purposes, and for not more than the following full-time
5 9 equivalent positions:

5 10 \$ 7,222,008
5 11 FTEs 71.00

5 12 3. CREDIT UNION DIVISION

5 13 For salaries, support, maintenance, and miscellaneous
5 14 purposes, and for not more than the following full-time

5 15 equivalent positions:
5 16 \$ 1,455,874
5 17 FTEs 18.00
5 18 4. INSURANCE DIVISION
5 19 a. For salaries, support, maintenance, and miscellaneous
5 20 purposes, and for not more than the following full-time
5 21 equivalent positions:
5 22 \$ 4,517,481
5 23 FTEs 101.00
5 24 b. The insurance division may reallocate authorized full-time
5 25 equivalent positions as necessary to respond to
5 26 accreditation recommendations or requirements. The insurance
5 27 division expenditures for examination purposes may exceed the
5 28 projected receipts, refunds, and reimbursements, estimated
5 29 pursuant to section 505.7, subsection 7, including the
5 30 expenditures for retention of additional personnel, if the
5 31 expenditures are fully reimbursable and the division first
5 32 does both of the following:
5 33 (1) Notifies the department of management, the legislative
5 34 services agency, and the legislative fiscal committee of the
5 35 need for the expenditures.
6 1 (2) Files with each of the entities named in subparagraph
6 2 (1) the legislative and regulatory justification for the
6 3 expenditures, along with an estimate of the expenditures.
6 4 c. The insurance division shall allocate \$10,000 from the
6 5 examination receipts for the payment of its fees to the
6 6 national council of insurance legislators.
6 7 5. PROFESSIONAL LICENSING AND REGULATION BUREAU
6 8 For salaries, support, maintenance, and miscellaneous
6 9 purposes, and for not more than the following full-time
6 10 equivalent positions:
6 11 \$ 793,462
6 12 FTEs 13.50
6 13 6. UTILITIES DIVISION
6 14 a. For salaries, support, maintenance, and miscellaneous
6 15 purposes, and for not more than the following full-time
6 16 equivalent positions:
6 17 \$ 7,230,820
6 18 FTEs 79.00
6 19 b. The utilities division may expend additional funds,
6 20 including funds for additional personnel, if those additional
6 21 expenditures are actual expenses which exceed the funds
6 22 budgeted for utility regulation and the expenditures are fully
6 23 reimbursable. Before the division expends or encumbers an
6 24 amount in excess of the funds budgeted for regulation, the
6 25 division shall first do both of the following:
6 26 (1) Notify the department of management, the legislative
6 27 services agency, and the legislative fiscal committee of the
6 28 need for the expenditures.
6 29 (2) File with each of the entities named in subparagraph
6 30 (1) the legislative and regulatory justification for the
6 31 expenditures, along with an estimate of the expenditures.
6 32 7. CHARGES == TRAVEL. Each division and the office of
6 33 consumer advocate shall include in its charges assessed or
6 34 revenues generated, an amount sufficient to cover the amount
6 35 stated in its appropriation, and any state-assessed indirect
7 1 costs determined by the department of administrative services.
7 2 The director of the department of commerce shall review on a
7 3 quarterly basis all out-of-state travel for the previous
7 4 quarter for officers and employees of each division of the
7 5 department if the travel is not already authorized by the
7 6 executive council.
7 7 Sec. 9. DEPARTMENT OF COMMERCE == PROFESSIONAL LICENSING
7 8 AND REGULATION. There is appropriated from the housing
7 9 improvement fund of the Iowa department of economic
7 10 development to the bureau of professional licensing and
7 11 regulation of the banking division of the department of
7 12 commerce for the fiscal year beginning July 1, 2006, and
7 13 ending June 30, 2007, the following amount, or so much thereof
7 14 as is necessary, to be used for the purposes designated:
7 15 For salaries, support, maintenance, and miscellaneous
7 16 purposes:
7 17 \$ 62,317
7 18 Sec. 10. GOVERNOR AND LIEUTENANT GOVERNOR. There is
7 19 appropriated from the general fund of the state to the offices
7 20 of the governor and the lieutenant governor for the fiscal
7 21 year beginning July 1, 2006, and ending June 30, 2007, the
7 22 following amounts, or so much thereof as is necessary, to be
7 23 used for the purposes designated:
7 24 1. GENERAL OFFICE
7 25 For salaries, support, maintenance, and miscellaneous

7 26 purposes for the general office of the governor and the
 7 27 general office of the lieutenant governor, and for not more
 7 28 than the following full-time equivalent positions:
 7 29 \$ 1,823,111
 7 30 FTEs 19.25
 7 31 2. TERRACE HILL QUARTERS
 7 32 For salaries, support, maintenance, and miscellaneous
 7 33 purposes for the governor's quarters at Terrace Hill, and for
 7 34 not more than the following full-time equivalent positions:
 7 35 \$ 378,633
 8 1 FTEs 8.00
 8 2 3. ADMINISTRATIVE RULES COORDINATOR
 8 3 For salaries, support, maintenance, and miscellaneous
 8 4 purposes for the office of administrative rules coordinator,
 8 5 and for not more than the following full-time equivalent
 8 6 positions:
 8 7 \$ 150,013
 8 8 FTEs 3.00
 8 9 4. NATIONAL GOVERNORS ASSOCIATION
 8 10 For payment of Iowa's membership in the national governors
 8 11 association:
 8 12 \$ 64,393
 8 13 5. STATE=FEDERAL RELATIONS
 8 14 For salaries, support, maintenance, and miscellaneous
 8 15 purposes, and for not more than the following full-time
 8 16 equivalent positions:
 8 17 \$ 115,748
 8 18 FTEs 2.00
 8 19 6. TRANSITION COSTS
 8 20 a. For payment of vacation allowances:
 8 21 \$ 77,057
 8 22 b. For payment to the governor-elect expense fund in lieu
 8 23 of the appropriation from the general fund of the state under
 8 24 section 7.13 to the governor-elect expense fund:
 8 25 \$ 100,000
 8 26 Sec. 11. GOVERNOR'S OFFICE OF DRUG CONTROL POLICY.
 8 27 1. There is appropriated from the general fund of the
 8 28 state to the governor's office of drug control policy for the
 8 29 fiscal year beginning July 1, 2006, and ending June 30, 2007,
 8 30 the following amount, or so much thereof as is necessary, to
 8 31 be used for the purposes designated:
 8 32 For salaries, support, maintenance, and miscellaneous
 8 33 purposes, including statewide coordination of the drug abuse
 8 34 resistance education (D.A.R.E.) programs or similar programs,
 8 35 and for not more than the following full-time equivalent
 9 1 positions:
 9 2 \$ 307,730
 9 3 FTEs 8.00
 9 4 2. The governor's office of drug control policy, in
 9 5 consultation with the Iowa department of public health, and
 9 6 after discussion and collaboration with all interested
 9 7 agencies, shall coordinate substance abuse treatment and
 9 8 prevention efforts in order to avoid duplication of services.
 9 9 Sec. 12. DEPARTMENT OF HUMAN RIGHTS. There is
 9 10 appropriated from the general fund of the state to the
 9 11 department of human rights for the fiscal year beginning July
 9 12 1, 2006, and ending June 30, 2007, the following amounts, or
 9 13 so much thereof as is necessary, to be used for the purposes
 9 14 designated:
 9 15 1. CENTRAL ADMINISTRATION DIVISION
 9 16 For salaries, support, maintenance, and miscellaneous
 9 17 purposes, and for not more than the following full-time
 9 18 equivalent positions:
 9 19 \$ 317,028
 9 20 FTEs 7.00
 9 21 2. DEAF SERVICES DIVISION
 9 22 For salaries, support, maintenance, and miscellaneous
 9 23 purposes, and for not more than the following full-time
 9 24 equivalent positions:
 9 25 \$ 374,367
 9 26 FTEs 6.00
 9 27 The fees collected by the division for provision of
 9 28 interpretation services by the division to obligated agencies
 9 29 shall be disbursed pursuant to the provisions of section 8.32,
 9 30 and shall be dedicated and used by the division for continued
 9 31 and expanded interpretation services.
 9 32 3. STATUS OF IOWANS OF ASIAN AND PACIFIC ISLANDER HERITAGE
 9 33 DIVISION
 9 34 For support, maintenance, and miscellaneous purposes:
 9 35 \$ 6,000
 10 1 4. PERSONS WITH DISABILITIES DIVISION

10 2 For salaries, support, maintenance, and miscellaneous
 10 3 purposes, and for not more than the following full-time
 10 4 equivalent positions:
 10 5 \$ 193,531
 10 6 FTEs 3.20
 10 7 5. LATINO AFFAIRS DIVISION
 10 8 For salaries, support, maintenance, and miscellaneous
 10 9 purposes, and for not more than the following full-time
 10 10 equivalent positions:
 10 11 \$ 170,749
 10 12 FTEs 3.00
 10 13 6. STATUS OF WOMEN DIVISION
 10 14 For salaries, support, maintenance, and miscellaneous
 10 15 purposes, including the Iowans in transition program, and the
 10 16 domestic violence and sexual assault-related grants, and for
 10 17 not more than the following full-time equivalent positions:
 10 18 \$ 335,501
 10 19 FTEs 3.00
 10 20 7. STATUS OF AFRICAN-AMERICANS DIVISION
 10 21 For salaries, support, maintenance, and miscellaneous
 10 22 purposes, and for not more than the following full-time
 10 23 equivalent positions:
 10 24 \$ 121,655
 10 25 FTEs 2.00
 10 26 8. CRIMINAL AND JUVENILE JUSTICE PLANNING DIVISION
 10 27 For salaries, support, maintenance, and miscellaneous
 10 28 purposes, and for not more than the following full-time
 10 29 equivalent positions:
 10 30 \$ 1,098,026
 10 31 FTEs 12.18
 10 32 The criminal and juvenile justice planning advisory council
 10 33 and the juvenile justice advisory council shall coordinate
 10 34 their efforts in carrying out their respective duties relative
 10 35 to juvenile justice.
 11 1 9. SHARED STAFF. The divisions of the department of human
 11 2 rights shall retain their individual administrators, but shall
 11 3 share staff to the greatest extent possible.
 11 4 Sec. 13. DEPARTMENT OF INSPECTIONS AND APPEALS. There is
 11 5 appropriated from the general fund of the state to the
 11 6 department of inspections and appeals for the fiscal year
 11 7 beginning July 1, 2006, and ending June 30, 2007, the
 11 8 following amounts, or so much thereof as is necessary, for the
 11 9 purposes designated:
 11 10 1. ADMINISTRATION DIVISION
 11 11 For salaries, support, maintenance, and miscellaneous
 11 12 purposes, and for not more than the following full-time
 11 13 equivalent positions:
 11 14 \$ 1,657,318
 11 15 FTEs 33.25
 11 16 2. ADMINISTRATIVE HEARINGS DIVISION
 11 17 For salaries, support, maintenance, and miscellaneous
 11 18 purposes, and for not more than the following full-time
 11 19 equivalent positions:
 11 20 \$ 634,647
 11 21 FTEs 23.00
 11 22 3. INVESTIGATIONS DIVISION
 11 23 For salaries, support, maintenance, and miscellaneous
 11 24 purposes, and for not more than the following full-time
 11 25 equivalent positions:
 11 26 \$ 1,484,421
 11 27 FTEs 45.00
 11 28 4. HEALTH FACILITIES DIVISION
 11 29 For salaries, support, maintenance, and miscellaneous
 11 30 purposes, and for not more than the following full-time
 11 31 equivalent positions:
 11 32 \$ 2,339,742
 11 33 FTEs 118.25
 11 34 5. EMPLOYMENT APPEAL BOARD
 11 35 For salaries, support, maintenance, and miscellaneous
 12 1 purposes, and for not more than the following full-time
 12 2 equivalent positions:
 12 3 \$ 54,600
 12 4 FTEs 15.00
 12 5 The employment appeal board shall be reimbursed by the
 12 6 labor services division of the department of workforce
 12 7 development for all costs associated with hearings conducted
 12 8 under chapter 91C, related to contractor registration. The
 12 9 board may expend, in addition to the amount appropriated under
 12 10 this subsection, additional amounts as are directly billable
 12 11 to the labor services division under this subsection and to
 12 12 retain the additional full-time equivalent positions as needed

12 13 to conduct hearings required pursuant to chapter 91C.
 12 14 6. CHILD ADVOCACY BOARD
 12 15 For foster care review and the court appointed special
 12 16 advocate program, including salaries, support, maintenance,
 12 17 and miscellaneous purposes, and for not more than the
 12 18 following full-time equivalent positions:
 12 19 \$ 2,068,667
 12 20 FTEs 38.99
 12 21 a. The department of human services, in coordination with
 12 22 the child advocacy board, and the department of inspections
 12 23 and appeals, shall submit an application for funding available
 12 24 pursuant to Title IV-E of the federal Social Security Act for
 12 25 claims for child advocacy board, administrative review costs.
 12 26 b. The court appointed special advocate program shall
 12 27 investigate and develop opportunities for expanding fund=
 12 28 raising for the program.
 12 29 c. Administrative costs charged by the department of
 12 30 inspections and appeals for items funded under this subsection
 12 31 shall not exceed 4 percent of the amount appropriated in this
 12 32 subsection.
 12 33 Sec. 14. RACING AND GAMING COMMISSION.
 12 34 1. RACETRACK REGULATION
 12 35 There is appropriated from the general fund of the state to
 13 1 the racing and gaming commission of the department of
 13 2 inspections and appeals for the fiscal year beginning July 1,
 13 3 2006, and ending June 30, 2007, the following amount, or so
 13 4 much thereof as is necessary, to be used for the purposes
 13 5 designated:
 13 6 For salaries, support, maintenance, and miscellaneous
 13 7 purposes for the regulation of pari-mutuel racetracks, and for
 13 8 not more than the following full-time equivalent positions:
 13 9 \$ 2,657,394
 13 10 FTEs 27.53
 13 11 2. EXCURSION BOAT REGULATION
 13 12 There is appropriated from the general fund of the state to
 13 13 the racing and gaming commission of the department of
 13 14 inspections and appeals for the fiscal year beginning July 1,
 13 15 2006, and ending June 30, 2007, the following amount, or so
 13 16 much thereof as is necessary, to be used for the purposes
 13 17 designated:
 13 18 For salaries, support, maintenance, and miscellaneous
 13 19 purposes for administration and enforcement of the excursion
 13 20 boat gambling laws, and for not more than the following full=
 13 21 time equivalent positions:
 13 22 \$ 3,199,440
 13 23 FTEs 43.22
 13 24 Sec. 15. USE TAX APPROPRIATION. There is appropriated
 13 25 from the use tax receipts collected pursuant to sections
 13 26 423.26 and 423.27 prior to their deposit in the road use tax
 13 27 fund pursuant to section 423.43 to the administrative hearings
 13 28 division of the department of inspections and appeals for the
 13 29 fiscal year beginning July 1, 2006, and ending June 30, 2007,
 13 30 the following amount, or so much thereof as is necessary, for
 13 31 the purposes designated:
 13 32 For salaries, support, maintenance, and miscellaneous
 13 33 purposes:
 13 34 \$ 1,482,436
 13 35 Sec. 16. DEPARTMENT OF MANAGEMENT. There is appropriated
 14 1 from the general fund of the state to the department of
 14 2 management for the fiscal year beginning July 1, 2006, and
 14 3 ending June 30, 2007, the following amounts, or so much
 14 4 thereof as is necessary, to be used for the purposes
 14 5 designated:
 14 6 1. GENERAL OFFICE
 14 7 For salaries, support, maintenance, and miscellaneous
 14 8 purposes, and for not more than the following full-time
 14 9 equivalent positions:
 14 10 \$ 2,244,335
 14 11 FTEs 32.00
 14 12 2. ENTERPRISE RESOURCE PLANNING
 14 13 If funding is provided for the redesign of the enterprise
 14 14 resource planning budget system for the fiscal year beginning
 14 15 July 1, 2006, then there is appropriated from the general fund
 14 16 of the state to the department of management for the fiscal
 14 17 year beginning July 1, 2006, and ending June 30, 2007, the
 14 18 following amount, or so much thereof as is necessary, to be
 14 19 used for the purposes designated:
 14 20 For salaries, support, maintenance, and miscellaneous
 14 21 purposes for administration of the enterprise resource
 14 22 planning system, and for not more than the following full-time
 14 23 equivalent position:

14 24 \$ 119,435
14 25 FTEs 1.00
14 26 3. SALARY MODEL ADMINISTRATOR
14 27 For salaries, support, and miscellaneous purposes of the
14 28 salary model administrator, and for not more than the
14 29 following full-time equivalent position:
14 30 \$ 127,936
14 31 FTEs 1.00
14 32 The salary model administrator shall work in conjunction
14 33 with the legislative services agency to maintain the state's
14 34 salary model used for analyzing, comparing, and projecting
14 35 state employee salary and benefit information, including
15 1 information relating to employees of the state board of
15 2 regents. The department of revenue, the department of
15 3 administrative services, the five institutions under the
15 4 jurisdiction of the state board of regents, the judicial
15 5 district departments of correctional services, and the state
15 6 department of transportation shall provide salary data to the
15 7 department of management and the legislative services agency
15 8 to operate the state's salary model. The format and frequency
15 9 of provision of the salary data shall be determined by the
15 10 department of management and the legislative services agency.
15 11 The information shall be used in collective bargaining
15 12 processes under chapter 20 and in calculating the funding
15 13 needs contained within the annual salary adjustment
15 14 legislation. A state employee organization as defined in
15 15 section 20.3, subsection 4, may request information produced
15 16 by the model, but the information provided shall not contain
15 17 information attributable to individual employees.
15 18 4. For conducting performance audits and developing
15 19 performance measures, including salaries, support,
15 20 maintenance, miscellaneous purposes, and for not more than the
15 21 following full-time equivalent positions:
15 22 \$ 108,000
15 23 FTEs 2.50
15 24 5. For the department's LEAN process, including salaries,
15 25 support, maintenance, miscellaneous purposes, and for not more
15 26 than the following full-time equivalent position:
15 27 \$ 108,000
15 28 FTEs 1.00
15 29 6. For deposit in the local government innovation fund
15 30 established in section 8.64:
15 31 \$ 300,000
15 32 Sec. 17. ROAD USE TAX APPROPRIATION. There is
15 33 appropriated from the road use tax fund to the department of
15 34 management for the fiscal year beginning July 1, 2006, and
15 35 ending June 30, 2007, the following amount, or so much thereof
16 1 as is necessary, to be used for the purposes designated:
16 2 For salaries, support, maintenance, and miscellaneous
16 3 purposes:
16 4 \$ 56,000
16 5 Sec. 18. DEPARTMENT OF REVENUE. There is appropriated
16 6 from the general fund of the state to the department of
16 7 revenue for the fiscal year beginning July 1, 2006, and ending
16 8 June 30, 2007, the following amounts, or so much thereof as is
16 9 necessary, to be used for the purposes designated:
16 10 For salaries, support, maintenance, and miscellaneous
16 11 purposes, and for not more than the following full-time
16 12 equivalent positions:
16 13 \$ 23,138,575
16 14 FTEs 392.64
16 15 Of the funds appropriated pursuant to this section,
16 16 \$400,000 shall be used to pay the direct costs of compliance
16 17 related to the collection and distribution of local sales and
16 18 services taxes imposed pursuant to chapters 423B and 423E.
16 19 The director of revenue shall prepare and issue a state
16 20 appraisal manual and the revisions to the state appraisal
16 21 manual as provided in section 421.17, subsection 17, without
16 22 cost to a city or county.
16 23 The department of revenue shall submit a written report to
16 24 the general assembly by January 1, 2007, concerning the
16 25 department's progress in developing a system to track tax
16 26 credits.
16 27 If the director of revenue determines that contracting for
16 28 an upgrade of the department's computer assisted collections
16 29 system would result in generating significantly increased net
16 30 collection revenues for the fiscal year beginning July 1,
16 31 2006, and ending June 30, 2007, in excess of \$2,000,000, the
16 32 director is authorized to procure such upgrade from the
16 33 current vendor.
16 34 Sec. 19. MOTOR VEHICLE FUEL TAX APPROPRIATION. There is

16 35 appropriated from the motor fuel tax fund created by section
 17 1 452A.77 to the department of revenue for the fiscal year
 17 2 beginning July 1, 2006, and ending June 30, 2007, the
 17 3 following amount, or so much thereof as is necessary, to be
 17 4 used for the purposes designated:
 17 5 For salaries, support, maintenance, and miscellaneous
 17 6 purposes for administration and enforcement of the provisions
 17 7 of chapter 452A and the motor vehicle use tax program:
 17 8 \$ 1,258,042
 17 9 Sec. 20. SECRETARY OF STATE. There is appropriated from
 17 10 the general fund of the state to the office of the secretary
 17 11 of state for the fiscal year beginning July 1, 2006, and
 17 12 ending June 30, 2007, the following amounts, or so much
 17 13 thereof as is necessary, to be used for the purposes
 17 14 designated:
 17 15 1. ADMINISTRATION AND ELECTIONS
 17 16 For salaries, support, maintenance, and miscellaneous
 17 17 purposes, and for not more than the following full-time
 17 18 equivalent positions:
 17 19 \$ 707,942
 17 20 FTEs 10.00
 17 21 The state department or state agency which provides data
 17 22 processing services to support voter registration file
 17 23 maintenance and storage shall provide those services without
 17 24 charge.
 17 25 2. BUSINESS SERVICES
 17 26 For salaries, support, maintenance, and miscellaneous
 17 27 purposes, and for not more than the following full-time
 17 28 equivalent positions:
 17 29 \$ 2,003,091
 17 30 FTEs 32.00
 17 31 Sec. 21. SECRETARY OF STATE FILING FEES REFUND.
 17 32 Notwithstanding the obligation to collect fees pursuant to the
 17 33 provisions of section 490.122, subsection 1, paragraphs "a"
 17 34 and "s", and section 504.113, subsection 1, paragraphs "a",
 17 35 "c", "d", "j", "k", "l", and "m", for the fiscal year
 18 1 beginning July 1, 2006, and ending June 30, 2007, the
 18 2 secretary of state may refund these fees to the filer pursuant
 18 3 to rules established by the secretary of state. The decision
 18 4 of the secretary of state not to issue a refund under rules
 18 5 established by the secretary of state is final and not subject
 18 6 to review pursuant to the provisions of the Iowa
 18 7 administrative procedure Act, chapter 17A.
 18 8 Sec. 22. TREASURER. There is appropriated from the
 18 9 general fund of the state to the office of treasurer of state
 18 10 for the fiscal year beginning July 1, 2006, and ending June
 18 11 30, 2007, the following amount, or so much thereof as is
 18 12 necessary, to be used for the purposes designated:
 18 13 For salaries, support, maintenance, and miscellaneous
 18 14 purposes, and for not more than the following full-time
 18 15 equivalent positions:
 18 16 \$ 922,899
 18 17 FTEs 28.80
 18 18 The office of treasurer of state shall supply clerical and
 18 19 secretarial support for the executive council.
 18 20 Sec. 23. IPERS == GENERAL OFFICE. There is appropriated
 18 21 from the Iowa public employees' retirement system fund to the
 18 22 Iowa public employees' retirement system for the fiscal year
 18 23 beginning July 1, 2006, and ending June 30, 2007, the
 18 24 following amount, or so much thereof as is necessary, to be
 18 25 used for the purposes designated:
 18 26 For salaries, support, maintenance, and other operational
 18 27 purposes to pay the costs of the Iowa public employees'
 18 28 retirement system, and for not more than the following full=
 18 29 time equivalent positions:
 18 30 \$ 16,756,131
 18 31 FTEs 95.13
 18 32 Sec. 24. TRAVEL POLICY.
 18 33 1. For the fiscal year beginning July 1, 2006, each
 18 34 department or independent agency receiving an appropriation in
 18 35 this Act shall review the employee policy for daily or short=
 19 1 term travel including but not limited to the usage of motor
 19 2 pool vehicles under the department of administrative services,
 19 3 employee mileage reimbursement for the use of a personal
 19 4 vehicle, and the usage of private automobile rental companies.
 19 5 Following the review, the department or agency shall implement
 19 6 revisions in the employee policy for daily or short=term
 19 7 travel as necessary to maximize cost savings.
 19 8 2. Each department or independent agency subject to
 19 9 subsection 1 shall report to the general assembly's standing
 19 10 committees on government oversight regarding the policy

19 11 revisions implemented and the savings realized from the
19 12 changes. An initial report shall be submitted on or before
19 13 December 1, 2006, and a follow-up report shall be submitted on
19 14 or before December 1, 2007.

19 15 Sec. 25. 2005 Iowa Acts, chapter 179, section 32, is
19 16 amended by adding the following new unnumbered paragraph:
19 17 NEW UNNUMBERED PARAGRAPH. Notwithstanding section 8.33,
19 18 moneys appropriated in this section that remain unencumbered
19 19 or unobligated at the close of the fiscal year shall not
19 20 revert but shall remain available for expenditure for the
19 21 purposes designated during the succeeding fiscal year.

19 22 Sec. 26. EFFECTIVE DATE. The section of this division of
19 23 this Act amending 2005 Iowa Acts, chapter 179, being deemed of
19 24 immediate importance, takes effect upon enactment.

19 25 DIVISION II
19 26 MISCELLANEOUS PROVISIONS

19 27 Sec. 27. Section 70A.20, Code 2005, is amended to read as
19 28 follows:

19 29 70A.20 EMPLOYEES DISABILITY PROGRAM.

19 30 A state employees disability insurance program is created,
19 31 which shall be administered by the director of the department
19 32 of administrative services and which shall provide disability
19 33 benefits in an amount and for the employees as provided in
19 34 this section. The monthly disability benefits shall, at a
19 35 minimum, provide twenty percent of monthly earnings if

20 1 employed less than one year, forty percent of monthly earnings
20 2 if employed one year or more but less than two years, and
20 3 sixty percent of monthly earnings thereafter, reduced by
20 4 primary and family social security determined at the time
20 5 social security disability payments commence, railroad
20 6 retirement disability income, workers' compensation if
20 7 applicable, and any other state-sponsored sickness or
20 8 disability benefits payable. However, the amount of benefits
20 9 payable under the Iowa public employees' retirement system
20 10 pursuant to chapter 97B shall not reduce the benefits payable
20 11 pursuant to this section. Subsequent social security or
20 12 railroad retirement increases shall not be used to further
20 13 reduce the insurance benefits payable. As used in this
20 14 section, "primary and family social security" shall not
20 15 include social security benefits awarded to an adult child
20 16 with a disability of the state employee with a disability who
20 17 does not reside with the state employee with a disability if
20 18 the social security benefits were awarded to the adult child
20 19 with a disability prior to the approval of the state
20 20 employee's benefits under this section, regardless of whether
20 21 the United States social security administration records the
20 22 benefits to the social security number of the adult child with
20 23 a disability, the state employee with a disability, or any
20 24 other family member, and such social security benefits shall
20 25 not reduce the benefits payable pursuant to this section. As
20 26 used in this section, unless the context otherwise requires,
20 27 "adult" means a person who is eighteen years of age or older.
20 28 State employees shall receive credit for the time they were
20 29 continuously employed prior to and on July 1, 1974. The
20 30 following provisions apply to the employees disability
20 31 insurance program:

20 32 1. Waiting period, of no more than ninety working days of
20 33 continuous sickness or accident disability or the expiration
20 34 of accrued sick leave, whichever is greater.

20 35 2. Maximum period benefits paid for both accident or
21 1 sickness disability:

21 2 a. If the disability occurs prior to the time the employee
21 3 attains the age of sixty-one years, the maximum benefit period
21 4 shall end sixty months after continuous benefit payments begin
21 5 or on the date on which the employee attains the age of
21 6 sixty-five years, whichever is later.

21 7 b. If the disability occurs on or after the time the
21 8 employee attains the age of sixty-one years but prior to the
21 9 age of sixty-nine years, the maximum benefit period shall end
21 10 sixty months after continuous benefit payments begin or on the
21 11 date on which the employee attains the age of seventy years,
21 12 whichever is earlier.

21 13 c. If the disability occurs on or after the time the
21 14 employee attains the age of sixty-nine years, the maximum
21 15 benefit period shall end twelve months after continuous
21 16 benefit payments begin.

21 17 3. a. Minimum and maximum benefits, of not less than
21 18 fifty dollars per month and not exceeding two three thousand
21 19 dollars per month.

21 20 b. In no event shall benefits exceed one hundred percent
21 21 of the claimant's predisability covered monthly compensation.

21 22 4. All probationary and permanent full-time state
21 23 employees shall be covered under the employees disability
21 24 insurance program, except board members and members of
21 25 commissions who are not full-time state employees, and state
21 26 employees who on July 1, 1974, are under another disability
21 27 program financed in whole or in part by the state, and state
21 28 employees who have agreed to participation in another
21 29 disability program through a collective bargaining agreement.
21 30 For purposes of this section, members of the general assembly
21 31 serving on or after January 1, 1989, are eligible for the plan
21 32 during their tenure in office, on the basis of enrollment
21 33 rules established for full-time state employees excluded from
21 34 collective bargaining as provided in chapter 20.

21 35 Sec. 28. Section 421.17, subsection 27, paragraphs a, c,
22 1 d, e, g, and h, Code Supplement 2005, are amended to read as
22 2 follows:

22 3 a. To establish, administer, and make available a
22 4 centralized debt collection capability and procedure for the
22 5 use by any state agency ~~as defined in section 8A.504~~ or local
22 6 government entity including, but not limited to, the
22 7 department of revenue, along with other boards, commissions,
22 8 departments, and any other entity reported in the Iowa
22 9 comprehensive annual financial report, to collect delinquent
22 10 accounts, charges, fees, loans, taxes, or other indebtedness
22 11 owed to or being collected by the state. The department's
22 12 collection facilities shall only be available for use by other
22 13 state agencies or local government entities for their
22 14 discretionary use when resources are available to the director
22 15 and subject to the director's determination that use of the
22 16 procedure is feasible. The director shall prescribe the
22 17 appropriate form and manner in which this information is to be
22 18 submitted to the office of the department. The obligations or
22 19 indebtedness must be delinquent and not subject to litigation,
22 20 claim, appeal, or review pursuant to the appropriate remedies
22 21 of each state agency or local government entity.

22 22 c. The director shall establish a formal debt collection
22 23 policy for use by state agencies and local government entities
22 24 which have not established their own policy. Other state
22 25 agencies and local government entities may use the collection
22 26 facilities of the department pursuant to formal agreement with
22 27 the department. The agreement shall provide that the
22 28 information provided to the department shall be sufficient to
22 29 establish the obligation in a court of law and to render it as
22 30 a legal judgment on behalf of the state or the local
22 31 government agency. After transferring the file to the
22 32 department for collection, an individual state agency or the
22 33 local government agency shall terminate all collection
22 34 procedures and be available to provide assistance to the
22 35 department. Upon receipt of the file, the department shall
23 1 assume all liability for its actions without recourse to the
23 2 agency or the local government agency, and shall comply with
23 3 all applicable state and federal laws governing collection of
23 4 the debt. The department may use a participating agency's or
23 5 local government agency's statutory collection authority to
23 6 collect the participating agency's delinquent accounts,
23 7 charges, fees, loans, taxes, or other indebtedness owed to or
23 8 being collected by the state. The department has the powers
23 9 granted in this section regarding setoff from income tax
23 10 refunds or other accounts payable by the state for any of the
23 11 obligations transferred by state agencies or local government
23 12 agencies.

23 13 d. The department's existing right to credit against tax
23 14 due shall not be impaired by any right granted to, or duty
23 15 imposed upon, the department or other state agency or local
23 16 government agency by this section.

23 17 e. All state agencies and local government agencies shall
23 18 be given access, at the discretion of the director, to the
23 19 centralized computer data bank and, notwithstanding any other
23 20 provision of law to the contrary, may deny, revoke, or suspend
23 21 any license or deny any renewal authorized by the laws of this
23 22 state to any person who has defaulted on an obligation owed to
23 23 or collected by the state. The confidentiality provisions of
23 24 sections 422.20 and 422.72 do not apply to tax information
23 25 contained in the centralized computer data bank. State
23 26 agencies and local government agencies shall endeavor to
23 27 obtain the applicant's social security or federal tax
23 28 identification number, or state driver's license number from
23 29 all applicants.

23 30 g. The director shall adopt administrative rules to
23 31 implement this ~~section~~ subsection, including, but not limited
23 32 to, rules necessary to prevent conflict with federal laws and

23 33 regulations or the loss of federal funds, to establish
23 34 procedures necessary to guarantee due process of law, and to
23 35 provide for reimbursement of the department by other state
24 1 agencies and local government entities for the department's
24 2 costs related to debt collection for state agencies and local
24 3 government entities.

24 4 h. The director shall report quarterly to the legislative
24 5 fiscal committee, the legislative services agency, and the
24 6 chairpersons and ranking members of the joint ~~administration~~
24 7 appropriations subcommittee on administration and regulation
24 8 concerning the implementation of the centralized debt
24 9 collection program, the number of departmental collection
24 10 programs initiated, the amount of debts collected, and an
24 11 estimate of future costs and benefits which may be associated
24 12 with the collection program. It is the intent of the general
24 13 assembly that the centralized debt collection program will
24 14 result in the collection of at least two dollars of
24 15 indebtedness for every dollar expended in administering the
24 16 collection program during a fiscal year. ~~It is also the~~
~~24 17 intent of the general assembly that the centralized debt~~
~~24 18 collection program be administered without the anticipation of~~
~~24 19 future additional commitments of computer equipment and~~
~~24 20 personnel.~~

24 21 Sec. 29. Section 421.17, subsection 27, Code Supplement
24 22 2005, is amended by adding the following new paragraph:
24 23 NEW PARAGRAPH. j. There is appropriated from the amount
24 24 of any debt actually collected pursuant to this subsection an
24 25 amount, not to exceed the amount collected, which is
24 26 sufficient to pay for salaries, support, maintenance,
24 27 services, and other costs incurred by the department related
24 28 to the administration of this subsection. The director shall
24 29 report annually to the legislative fiscal committee and the
24 30 legislative services agency on any additional positions added
24 31 and the costs incurred during the previous fiscal year
24 32 pursuant to this subsection.

24 33 Sec. 30. Section 422.26, unnumbered paragraph 6, Code
24 34 2005, is amended to read as follows:

~~24 35 The department shall pay, from moneys appropriated to the~~
~~25 1 department for this purpose,~~ a recording fee as provided in
25 2 section 331.604, for the recording of the lien, or for its
25 3 satisfaction.

25 4 DIVISION III
25 5 REASSIGNMENT OF PROFESSIONAL LICENSING AND REGULATION DIVISION
25 6 Sec. 31. Section 8A.412, subsection 19, Code Supplement
25 7 2005, is amended to read as follows:

25 8 19. The superintendent of the banking division of the
25 9 department of commerce, all members of the state banking
25 10 council, and all employees of the banking division except for
~~25 11 employees of the professional licensing and regulation bureau~~
~~25 12 of the division.~~

25 13 Sec. 32. Section 524.208, Code 2005, is amended to read as
25 14 follows:

25 15 524.208 EXAMINERS AND OTHER EMPLOYEES.

25 16 The superintendent may appoint examiners and other
25 17 employees as the superintendent deems necessary to the proper
25 18 discharge of the duties imposed upon the superintendent by the
25 19 laws of this state. Pay plans shall be established for
25 20 employees, other than clerical employees or employees of the
~~25 21 professional licensing and regulation bureau of the banking~~
~~25 22 division,~~ who examine the accounts and affairs of state banks

25 23 and who examine the accounts and affairs of other persons,
25 24 subject to supervision and regulation by the superintendent,
25 25 which are substantially equivalent to those paid by the
25 26 federal deposit insurance corporation and other federal
25 27 supervisory agencies in this area of the United States.

25 28 Sec. 33. Section 524.211, subsection 5, Code 2005, is
25 29 amended to read as follows:

25 30 5. An employee of the banking division, other than the
25 31 superintendent or a member of the state banking council or one
~~25 32 of the boards in the professional licensing and regulation~~
~~25 33 bureau of the division,~~ shall not perform any services for,
25 34 and shall not be a shareholder, member, partner, owner,
25 35 director, officer, or employee of, any enterprise, person, or
26 1 affiliate subject to the regulatory purview of the banking
26 2 division.

26 3 Sec. 34. Section 534.401, subsection 1, Code 2005, is
26 4 amended to read as follows:

26 5 1. SUPERINTENDENT OF SAVINGS AND LOAN ASSOCIATIONS. The
26 6 superintendent of savings and loan associations is the
26 7 ~~administrator of professional licensing and regulation~~
~~26 8 appointed pursuant to section 546.10, subsection 2, or an~~

~~26 9 individual appointed by the administrator as provided in~~
~~26 10 section 546.10, subsection 6 superintendent of banking.~~

26 11 Sec. 35. Section 542.4, subsections 1 and 6, Code 2005,
26 12 are amended to read as follows:

26 13 1. An Iowa accountancy examining board is created within
26 14 the professional licensing and regulation bureau of the
~~26 15 banking~~ division of the department of commerce to administer
26 16 and enforce this chapter. The board shall consist of eight
26 17 members, appointed by the governor and subject to senate
26 18 confirmation, all of whom shall be residents of this state.
26 19 Five of the eight members shall be holders of certificates
26 20 issued under section 542.6, one member shall be the holder of
26 21 a license issued under section 542.8, and two shall not be
26 22 certified public accountants or licensed public accountants
26 23 and shall represent the general public. At least three of the
26 24 holders of certificates issued under section 542.6 shall also
26 25 be qualified to supervise attest services as provided in
26 26 section 542.7. A certified or licensed member of the board
26 27 shall be actively engaged in practice as a certified public
26 28 accountant or as a licensed public accountant and shall have
26 29 been so engaged for five years preceding appointment, the last
26 30 two of which shall have been in this state. Professional
26 31 associations or societies composed of certified public
26 32 accountants or licensed public accountants may recommend the
26 33 names of potential board members to the governor. However,
26 34 the governor is not bound by the recommendations. A board
26 35 member is not required to be a member of any professional
27 1 association or society composed of certified public
27 2 accountants or licensed public accountants. The term of each
27 3 member of the board shall be three years, as designated by the
27 4 governor, and appointments to the board are subject to the
27 5 requirements of sections 69.16, 69.16A, and 69.19. Members of
27 6 the board appointed and serving pursuant to chapter 542C, Code
27 7 2001, on July 1, 2002, shall serve out the terms for which
27 8 they were appointed. Vacancies occurring during a term shall
27 9 be filled by appointment by the governor for the unexpired
27 10 term. Upon the expiration of the member's term of office, a
27 11 member shall continue to serve until a successor shall have
27 12 been appointed and taken office. The public members of the
27 13 board shall be allowed to participate in administrative,
27 14 clerical, or ministerial functions incident to giving the
27 15 examinations, but shall not determine the content or determine
27 16 the correctness of the answers. The licensed public
27 17 accountant member shall not determine the content of the
27 18 certified public accountant examination or determine the
27 19 correctness of the answers. Any member of the board whose
27 20 certificate under section 542.6 or license under section 542.8
27 21 is revoked or suspended shall automatically cease to be a
27 22 member of the board, and the governor may, after a hearing,
27 23 remove any member of the board for neglect of duty or other
27 24 just cause. A person who has served three successive complete
27 25 terms shall not be eligible for reappointment, but appointment
27 26 to fill an unexpired term shall not be considered a complete
27 27 term for this purpose.

27 28 6. The administrator of the professional licensing and
27 29 regulation bureau of the banking division of the department of
27 30 commerce shall provide staffing assistance to the board for
27 31 implementing this chapter.

27 32 Sec. 36. Section 542B.3, Code 2005, is amended to read as
27 33 follows:

27 34 542B.3 ENGINEERING AND LAND SURVEYING EXAMINING BOARD
27 35 CREATED.

28 1 An engineering and land surveying examining board is
28 2 created within the professional licensing and regulation
28 3 bureau of the banking division of the department of commerce.
28 4 The board consists of four members who are licensed
28 5 professional engineers, one member who is a licensed land
28 6 surveyor or a professional engineer who is also a licensed
28 7 land surveyor, and two members who are not licensed
28 8 professional engineers or land surveyors and who shall
28 9 represent the general public. Members shall be appointed by
28 10 the governor subject to confirmation by the senate. A
28 11 licensed member shall be actively engaged in the practice of
28 12 engineering or land surveying and shall have been so engaged
28 13 for five years preceding the appointment, the last two of
28 14 which shall have been in Iowa. Insofar as practicable,
28 15 licensed engineer members of the board shall be from different
28 16 branches of the profession of engineering. Professional
28 17 associations or societies composed of licensed engineers or
28 18 licensed land surveyors may recommend the names of potential
28 19 board members whose profession is representative of that

28 20 association or society to the governor. However, the governor
28 21 is not bound by the recommendations. A board member shall not
28 22 be required to be a member of any professional association or
28 23 society composed of professional engineers or land surveyors.
28 24 Sec. 37. Section 542B.9, Code 2005, is amended to read as
28 25 follows:
28 26 542B.9 ORGANIZATION OF THE BOARD == STAFF.
28 27 The board shall elect annually from its members a
28 28 chairperson and a vice chairperson. The administrator of the
28 29 professional licensing and regulation bureau of the banking
28 30 division of the department of commerce shall hire and provide
28 31 staff to assist the board in implementing this chapter. The
28 32 board shall hold at least one meeting at the location of the
28 33 board's principal office, and meetings shall be called at
28 34 other times by the administrator at the request of the
28 35 chairperson or four members of the board. At any meeting of
29 1 the board, a majority of members constitutes a quorum.
29 2 Sec. 38. Section 543B.8, Code Supplement 2005, is amended
29 3 to read as follows:
29 4 543B.8 REAL ESTATE COMMISSION CREATED == STAFF.
29 5 A real estate commission is created within the professional
29 6 licensing and regulation bureau of the banking division of the
29 7 department of commerce. The commission consists of five
29 8 members licensed under this chapter and two members not
29 9 licensed under this chapter and who shall represent the
29 10 general public. At least one of the licensed members shall be
29 11 a licensed real estate salesperson, except that if the
29 12 licensed real estate salesperson becomes a licensed real
29 13 estate broker during a term of office, that person may
29 14 complete the term, but is not eligible for reappointment on
29 15 the commission as a licensed real estate salesperson. A
29 16 licensed member shall be actively engaged in the real estate
29 17 business and shall have been so engaged for five years
29 18 preceding the appointment, the last two of which shall have
29 19 been in Iowa. Professional associations or societies of real
29 20 estate brokers or real estate salespersons may recommend the
29 21 names of potential commission members to the governor.
29 22 However, the governor is not bound by their recommendations.
29 23 A commission member shall not be required to be a member of
29 24 any professional association or society composed of real
29 25 estate brokers or salespersons. Commission members shall be
29 26 appointed by the governor subject to confirmation by the
29 27 senate. Appointments shall be for three-year terms and shall
29 28 commence and end as provided in section 69.19. A member shall
29 29 serve no more than three terms or nine years, whichever is
29 30 less. No more than one member shall be appointed from a
29 31 county. A commission member shall not hold any other elective
29 32 or appointive state or federal office. Vacancies shall be
29 33 filled for the unexpired term by appointment of the governor
29 34 and are subject to senate confirmation. A majority of the
29 35 commission members constitutes a quorum. The administrator of
30 1 the professional licensing and regulation bureau of the
30 2 banking division shall hire and provide staff to assist the
30 3 commission with implementing this chapter.
30 4 The administrator of the professional licensing and
30 5 regulation bureau of the banking division of the department of
30 6 commerce shall hire a real estate education director to assist
30 7 the commission in administering education programs for the
30 8 commission.
30 9 Sec. 39. Section 543B.54, Code 2005, is amended to read as
30 10 follows:
30 11 543B.54 REAL ESTATE EDUCATION FUND.
30 12 The Iowa real estate education fund is created as a
30 13 financial assurance mechanism to assist in the establishment
30 14 and maintenance of a real estate education program at the
30 15 university of northern Iowa and to assist the real estate
30 16 commission in providing an education director. The fund is
30 17 created as a separate fund in the state treasury, and any
30 18 funds remaining in the fund at the end of each fiscal year
30 19 shall not revert to the general fund, but shall remain in the
30 20 Iowa real estate education fund. Twenty-five dollars per
30 21 license from fees deposited for each real estate salesperson's
30 22 license and each broker's license shall be distributed and are
30 23 appropriated to the board of regents for the purpose of
30 24 establishing and maintaining a real estate education program
30 25 at the university of northern Iowa. The remaining moneys in
30 26 the fund shall be distributed and are appropriated to the
30 27 professional licensing and regulation bureau of the banking
30 28 division of the department of commerce for the purpose of
30 29 hiring and compensating a real estate education director and
30 30 regulatory compliance personnel.

30 31 Sec. 40. Section 543D.4, unnumbered paragraph 1, Code
30 32 2005, is amended to read as follows:
30 33 A real estate appraiser examining board is established
30 34 within the professional licensing and regulation bureau of the
30 35 banking division of the department of commerce. The board
31 1 consists of seven members, two of whom shall be public members
31 2 and five of whom shall be real estate appraisers.
31 3 Sec. 41. Section 544A.1, unnumbered paragraph 2, Code
31 4 2005, is amended to read as follows:
31 5 The architectural examining board is created within the
31 6 professional licensing and regulation bureau of the banking
31 7 division of the department of commerce. The board consists of
31 8 five members who possess a certificate of registration issued
31 9 under section 544A.9 and who have been in active practice of
31 10 architecture for not less than five years, the last two of
31 11 which shall have been in Iowa, and two members who do not
31 12 possess a certificate of registration issued under section
31 13 544A.9 and who shall represent the general public. Members
31 14 shall be appointed by the governor subject to confirmation by
31 15 the senate.
31 16 Sec. 42. Section 544A.5, Code 2005, is amended to read as
31 17 follows:
31 18 544A.5 DUTIES.
31 19 The architectural examining board shall enforce this
31 20 chapter, shall make rules for the examination of applicants
31 21 for the certificate of registration provided by this chapter,
31 22 and shall, after due public notice, hold meetings each year
31 23 for the purpose of examining applicants for registration and
31 24 the transaction of business pertaining to the affairs of the
31 25 board. Examinations shall be given as often as deemed
31 26 necessary, but not less than annually. Action at a meeting
31 27 shall not be taken without the affirmative votes of a majority
31 28 of the members of the board. The administrator of the
31 29 professional licensing and regulation bureau of the banking
31 30 division of the department of commerce shall hire and provide
31 31 staff to assist the board with implementing this chapter.
31 32 Sec. 43. Section 544B.3, unnumbered paragraph 1, Code
31 33 2005, is amended to read as follows:
31 34 A landscape architectural examining board is created within
31 35 the professional licensing and regulation bureau of the
32 1 banking division of the department of commerce. The board
32 2 consists of five members who are professional landscape
32 3 architects and two members who are not professional landscape
32 4 architects and who shall represent the general public.
32 5 Members shall be appointed by the governor, subject to
32 6 confirmation by the senate. A professional member shall be
32 7 actively engaged in the practice of landscape architecture or
32 8 the teaching of landscape architecture in an accredited
32 9 college or university, and shall have been so engaged for five
32 10 years preceding appointment, the last two of which shall have
32 11 been in Iowa. Associations or societies composed of
32 12 professional landscape architects may recommend the names of
32 13 potential board members to the governor. However, the
32 14 governor is not bound by the recommendations. A board member
32 15 shall not be required to be a member of any professional
32 16 association or society composed of professional landscape
32 17 architects.
32 18 Sec. 44. Section 544B.5, Code 2005, is amended to read as
32 19 follows:
32 20 544B.5 DUTIES.
32 21 The board shall enforce this chapter, shall make rules for
32 22 the examination of applicants for licensure, and, after public
32 23 notice, shall conduct examinations of applicants for
32 24 licensure. The board shall keep a record of its proceedings.
32 25 The board shall adopt an official seal which shall be affixed
32 26 to all certificates of licensure granted. The board may make
32 27 other rules, not inconsistent with law, as necessary for the
32 28 proper performance of its duties. The board shall maintain a
32 29 roster showing the name, place of business, and residence, and
32 30 the date and number of the certificate of licensure of every
32 31 professional landscape architect in this state. The
32 32 administrator of the professional licensing and regulation
32 33 bureau of the banking division of the department of commerce
32 34 shall hire and provide staff to assist the board in
32 35 implementing this chapter.
33 1 Sec. 45. Section 544C.1, subsection 2, Code Supplement
33 2 2005, is amended to read as follows:
33 3 2. ~~"Division"~~ "Bureau" means the professional licensing
33 4 and regulation bureau of the banking division of the
33 5 department of commerce.
33 6 Sec. 46. Section 544C.2, subsection 1, Code Supplement

33 7 2005, is amended to read as follows:

33 8 1. An interior design examining board is established
33 9 within the ~~division bureau~~. The board consists of seven
33 10 members: five members who are interior designers who are
33 11 registered under this chapter and who have been in the active
33 12 practice of interior design for not less than five years, the
33 13 last two of which shall have been in Iowa; and two members who
33 14 are not registered under this chapter and who shall represent
33 15 the general public. Members shall be appointed by the
33 16 governor subject to confirmation by the senate.

33 17 Sec. 47. Section 544C.3, unnumbered paragraph 2, Code
33 18 Supplement 2005, is amended to read as follows:

33 19 The administrator of the ~~division bureau~~ shall provide
33 20 staff to assist the board in the implementation of this
33 21 chapter.

33 22 Sec. 48. Section 544C.5, unnumbered paragraph 1, Code
33 23 Supplement 2005, is amended to read as follows:

33 24 Each applicant for registration must meet the interior
33 25 design education and practical training requirements adopted
33 26 by rule by the board, and have passed an examination
33 27 prescribed by the board that is task-oriented, focused on
33 28 public safety, and validated by a recognized testing agency.
33 29 The ~~division bureau~~ shall register an individual who submits
33 30 an application to the board on the form and in the manner
33 31 prescribed by the board as a registered interior designer if
33 32 the individual satisfies the following requirements:

33 33 Sec. 49. Section 546.2, subsection 3, paragraph g, Code
33 34 2005, is amended by striking the paragraph.

33 35 Sec. 50. Section 546.3, Code 2005, is amended to read as
34 1 follows:

34 2 546.3 BANKING DIVISION.

34 3 1. The banking division shall regulate and supervise banks
34 4 under chapter 524, ~~debt management licensees under chapter~~
34 5 ~~533A, money services under chapter 533C, delayed deposit~~
34 6 ~~services under chapter 533D, mortgage bankers and brokers~~
34 7 ~~under chapter 535B,~~ regulated loan companies under chapter
34 8 536, and industrial loan companies under chapter 536A, and
34 9 shall perform other duties assigned to the division by law.
34 10 The division is headed by the superintendent of banking who is
34 11 appointed pursuant to section 524.201. The state banking
34 12 council shall render advice within the division when requested
34 13 by the superintendent.

34 14 2. ~~The banking division shall administer and manage the~~
34 15 ~~professional licensing and regulation bureau within the~~
34 16 ~~division. The division shall separately account for funds of~~
34 17 ~~the bureau. However, the division may allocate costs for~~
34 18 ~~administrative, technical, support, and other shared services~~
34 19 ~~across the entire division.~~

34 20 Sec. 51. Section 546.5, Code 2005, is amended to read as
34 21 follows:

34 22 546.5 SAVINGS AND LOAN DIVISION.

34 23 The savings and loan division shall regulate and supervise
34 24 savings and loan associations and savings banks under chapter
34 25 534. The division is headed by the superintendent of savings
34 26 and loan associations who shall be ~~appointed pursuant to~~
34 27 ~~section 534.401 the superintendent of banking.~~

34 28 Sec. 52. Section 546.10, Code Supplement 2005, is amended
34 29 to read as follows:

34 30 546.10 PROFESSIONAL LICENSING AND REGULATION ~~DIVISION~~

34 31 ~~BUREAU~~ == SUPERINTENDENT OF SAVINGS AND LOAN ASSOCIATIONS.

34 32 1. The professional licensing and regulation ~~bureau of the~~
34 33 ~~banking~~ division shall administer and coordinate the licensing
34 34 and regulation of several professions by bringing together the
34 35 following licensing boards:

35 1 a. The engineering and land surveying examining board
35 2 created pursuant to chapter 542B.

35 3 b. The Iowa accountancy examining board created pursuant
35 4 to chapter 542.

35 5 c. The real estate commission created pursuant to chapter
35 6 543B.

35 7 d. The architectural examining board created pursuant to
35 8 chapter 544A.

35 9 e. The landscape architectural examining board created
35 10 pursuant to chapter 544B.

35 11 f. The real estate appraiser examining board created
35 12 pursuant to section 543D.4.

35 13 g. ~~The interior design examining board created pursuant to~~
35 14 ~~chapter 544C.~~

35 15 2. The ~~division bureau~~ is headed by the administrator of
35 16 professional licensing and regulation who shall be ~~appointed~~
35 17 ~~by the governor subject to confirmation by the senate and~~

~~35 18 shall serve a four-year term that begins and ends as provided~~
~~35 19 in section 69.19 the superintendent of banking. A vacancy~~
~~35 20 shall be filled for the unexpired portion of the term in the~~
~~35 21 same manner as a full-term appointment is made. The~~
35 22 administrator shall appoint and supervise staff and shall
35 23 coordinate activities for the licensing boards within the
35 24 division bureau. ~~The administrator shall act as a staff~~
~~35 25 person to one or more of the licensing boards.~~

35 26 3. The licensing and regulation examining boards included
35 27 in the division bureau pursuant to subsection 1 retain the
35 28 powers granted them pursuant to the chapters in which they are
35 29 created, except for budgetary and personnel matters which
35 30 shall be handled by the administrator. Each licensing board
35 31 shall adopt rules pursuant to chapter 17A. Decisions by a
35 32 licensing board are final agency actions for purposes of
35 33 chapter 17A.

35 34 Notwithstanding subsection 5, eighty-five percent of the
35 35 funds received annually resulting from an increase in
36 1 licensing fees implemented on or after April 1, 2002, by a
36 2 licensing board or commission listed in subsection 1, is
36 3 appropriated to the professional licensing and regulation
36 4 division bureau to be allocated to the board or commission for
36 5 the fiscal year beginning July 1, 2002, and succeeding fiscal
36 6 years, for purposes related to the duties of the board or
36 7 commission, including but not limited to additional full-time
36 8 equivalent positions. The director of the department of
36 9 administrative services shall draw warrants upon the treasurer
36 10 of state from the funds appropriated as provided in this
36 11 section and shall make the funds available to the professional
36 12 licensing division and regulation bureau on a monthly basis
36 13 during each fiscal year.

36 14 4. The professional licensing and regulation bureau of the
~~36 15 banking division~~ of the department of commerce may expend
36 16 additional funds, including funds for additional personnel, if
36 17 those additional expenditures are directly the cause of actual
36 18 examination expenses exceeding funds budgeted for
36 19 examinations. Before the division bureau expends or encumbers
36 20 an amount in excess of the funds budgeted for examinations,
36 21 the director of the department of management shall approve the
36 22 expenditure or encumbrance. Before approval is given, the
36 23 director of the department of management shall determine that
36 24 the examination expenses exceed the funds budgeted by the
36 25 general assembly to the division bureau and the division
36 26 bureau does not have other funds from which the expenses can
36 27 be paid. Upon approval of the director of the department of
36 28 management, the division bureau may expend and encumber funds
36 29 for excess examination expenses. The amounts necessary to
36 30 fund the examination expenses shall be collected as fees from
36 31 additional examination applicants and shall be treated as
36 32 repayment receipts as defined in section 8.2, subsection 8.
36 33

36 34 5. Fees collected under chapters 542, 542B, 543B, 543D,
36 35 544A, and 544B, and 544C shall be paid to the treasurer of
37 1 state and credited to the general fund of the state. All
37 2 expenses required in the discharge of the duties and
37 3 responsibilities imposed upon the professional licensing and
~~37 4 regulation bureau of the banking division~~ of the department of
37 5 commerce, the administrator, and the licensing boards by the
37 6 laws of this state shall be paid from moneys appropriated by
37 7 the general assembly for those purposes. All fees deposited
37 8 into the general fund of the state, as provided in this
37 9 subsection, shall be subject to the requirements of section
37 10 8.60.

~~37 11 6. The administrator of professional licensing and~~
~~37 12 regulation is the superintendent of savings and loan~~
~~37 13 associations. The administrator may appoint an individual to~~
~~37 14 act as the superintendent who shall serve as the~~
~~37 15 superintendent at the pleasure of the administrator.~~

37 16
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37 18 _____
37 19 CHRISTOPHER C. RANTS
37 20 Speaker of the House

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37 22 _____
37 23 JEFFREY M. LAMBERTI
37 24 President of the Senate

37 25
37 26 I hereby certify that this bill originated in the House and
37 27 is known as House File 2521, Eighty-first General Assembly.
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MARGARET THOMSON
Chief Clerk of the House
Approved _____, 2006

THOMAS J. VILSACK
Governor